

(References G, B and E, respectively) were cited. Claims 1-25 remain in the case. The Examiner's rejections are traversed below.

Rejection under 35 U.S.C. § 102(b)

In item 5 on page 3 of the Office Action, the Examiner rejected claims 21 and 22 under 35 U.S.C. § 102(b) as anticipated by Dabbish. Reference was made to column 3, lines 44-46 as disclosing a changeable deciphering apparatus; column 1, lines 51-67 as disclosing that the changes originate from sources external to the apparatus; and part 104 as disclosing communication circuitry which permits connection to a network. In response to the argument in the June 23, 1999 Amendment that Dabbish contains no suggestion of "changing the circuit connections" (e.g., claim 22, lines 6-7), it was asserted that "Dabbish's soft logic circuit communicates with an EPE, which is variable and therefore reads on" (Office Action, page 2, lines 8-10) claims 21 and 22.

It is assumed that the term "EPE" in the Office Action refers to external programming equipment (EPE) 105 in the device taught by Dabbish. The EPE taught by Dabbish "programs, via the input/output circuit (103), the supervisory circuit (102)" (column 2, lines 36-37). The supervisory circuit (102) is described as "a reprogrammable storage device," i.e., "an electronically erasable programmable read only memory device (EEPROM) (117), a RAM (118), a bootstrap loader (119), logic (120), and an instructional programmable logic array (PLA) (121)" (column 2, lines 27-32). Only the programmable logic array has connections that might be changed to meet the requirements recited in claims 21 and 22. However, there is no mention of the programmable logic array, or PLA or reference numeral 121 other than at lines 31-32 of column 2 in Dabbish, or any suggestion that any connections are changed to implement different cipher algorithms. The very term "soft logic cryptographic circuit" indicates that the "EPE" merely changes the contents of data storage. Therefore, it is submitted that there is no a suggestion of "changing the circuit connections" as recited in claims 21 and 22. Claims 21 and 22 have been amended to clarify that the changes in circuit connections are made "only when the specifications are changed" (claims 21 and 22, line 8). For the above reasons, it is submitted that claims 21 and 22 patentably distinguish over Dabbish.

Rejections under 35 U.S.C. § 103(a)

In item 7 on pages 3-4 of the Office Action, claims 1, 5, 8, 10, 14, 17, 19, 20 and 23-25 were rejected under 35 U.S.C. § 103(a) as unpatentable over Dabbish. The paragraph spanning pages 3 and 4 contained the same language used to reject these claims under 35

U.S.C. § 102(b) in the March 23, 1999 Office Action. In items 8-10 on pages 4-6 of the Office Action, claims 2-4, 6, 7, 9, 11-13, 15, 16 and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Dabbish taken alone or in view of Jovanovich et al. or Lynn et al. using the same words as in the March 23, 1999 Office Action. The only new statement in the rejection of claims 1-20 and 23-25 was that "Official notice is taken that cryptographic hardware is faster than cryptographic software" (Office Action, page 4, lines 5-6). This statement was considered sufficient evidence that it would have been obvious "to make the programmability of Dabbish based upon hardware modification in order to achieve greater speed."

It is submitted that the well-known speed superiority of hardware over software does not provide a suggestion of producing a device of any type in which changes occur in "a structure of ... (a) circuit corresponding to the change data" (e.g., claim 1, lines 6-7). Nothing has been cited suggesting making **changes** to hardware structure or connections, so that a fast and flexible encrypting apparatus can be provided. All of the independent claims require such capability. Due to the lack of any suggestion of this feature, it is submitted that all of the claims patentably distinguish over Dabbish in view of Jovanovich et al. or Lynn et al.

Entry of Amendment

The only changes made by this Amendment were to add the word "only" in claims 21 and 22. As noted in the June 23 Amendment, there was no suggestion in Dabbish of making any changes to circuit connections. The amendment of claims 21 and 22 merely emphasizes that the circuit connection changes are in response to changes in the encryption specifications. Therefore, it is submitted that this Amendment should be entered.

Summary

It is submitted that the references cited by the Examiner, taken individually or in combination, do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-25 are in a condition suitable for allowance. Entry of the Amendment, reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

If any further fees are required in connection with the filing of this Amendment, please charge same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 11/23/99